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April 4, 2008

Charles A. Lile, Esq.
East Kentucky Power Cooperative, Inc.
P.O. Box 707
Winchester, KY 40392-0707

Re: Case No. 2008-00115, The Application of East Kentucky Power Cooperative, Inc. For Approval of an Amendment to Its Environmental Compliance Plan and Environmental Surcharge

Dear Mr. Lile:

On March 28, 2008, East Kentucky Power Cooperative, Inc. ("EKPC") tendered for filing its application for approval of an amendment to its environmental compliance plan and environmental surcharge pursuant to KRS 278.183. However, the Commission has no record of having received a notice of intent to file 30 days in advance.

KRS 278.183(2) provides, in pertinent part that:

Each utility, before initially imposing an environmental surcharge pursuant to this subsection, shall thirty (30) days in advance file a notice of intent to file said plan and subsequently submit to the commission a plan, including any application required by KRS 278.020(1), for complying with the applicable environmental requirements set forth in subsection (1) of this section.

Therefore, as the 30-day notice requirement was not fulfilled prior to tendering the application, EKPC's application is deficient and cannot yet be accepted for filing.

However, EKPC's March 28, 2008 filing will be deemed to constitute notice to the Commission of EKPC's intent to seek environmental surcharge relief. Accordingly, EKPC will not be required to file a separate notice in this particular instance. The March 28, 2008 filing is sufficient to trigger the running of the 30-day notice period. Therefore, the Commission will accept the application for filing as of April 28, 2008.

Please feel free to contact the Commission's General Counsel, David S. Samford, at 502-564-3940 if you have any further questions regarding this matter.

Sincerely,

Stephanie L. Stumbo
Executive Director